REMARKS

Rejection of Claims on Prior Art Grounds in the 22 May 2006 Office Action and Transversal Thereof

In the 22 May 2006 Office Action, Claims 183, 190, 191, 192 and 193 were rejected under 35 U.S.C. 101 as not producing a tangible result. These Claims are currently amended to overcome the rejections.

Moreover, Claims 1, 4-10, 20-21, 23, 26-32, 42, 44-45,47-52,68, 75, 83, 86-92, 102-103, 105, 108-114, 124, 126-127, 129-134, 150, 157, 163, 165, 168-173, 176, 178-180 and 183-188, 190-194, 197-199, 201-203, 205-207, 209-211 and 213 were rejected under 35 U.S.C. 102(b) as being anticipated by "Principles of Object-Oriented Analysis and Design", James Martin, June 1, 1992.

Also, Claims 71, 72, 76, 79, 153, 154, 158, 161, 195, 196, 200, 208, 182, 189, 212, 177 and 204 were rejected under 35 U.S.C. 103(a) as being unpatentable over "Principles of Object-Oriented Analysis and Design", James Martin, June 1, 1992 in view of implementing the concept of Reuse in Object Technology. The above rejections on the stated art grounds are traversed, and consideration of the patentability of the above claims, now amended or cancelled, is requested, in light of the following remarks.

Arguments for Patentabilty

The present invention is a software development tool that saves significant programming development time by allowing a programmer to manipulate a diagram so as to form a link between two elements, and to automatically generate the source code to reflect the link. When the programmer opens a software development project, the

software development tool reads a graphical view of the elements into a transient meta model that correlates names in a source code file with corresponding symbols having display coordinates. The graphical representation of the corresponding code of each the elements including a first element and second element is then displayed by using the names and display coordinates correlated by the transient meta model. Further steps include receiving a request to form a link; receiving an indication of a first of the plurality of elements; receiving an indication of a second of the plurality of elements; and in response to receiving the request, the indication of the first element, and the indication of the second element, generating new code independent of the graphical representation and adding the new code to the first element to reflect the link to the second element and modifying the graphical representation of the code associated with the first element to reflect the link to the second element.

All of the independent claims of the present application are currently amended to recite a method and/or system directed towards software development and that the beginning steps involve generating a transient meta model and reading the graphical view file into the transient meta model to correlate the names and display coordinates of each symbol of the corresponding source code file in the project. No new matter has been added as a result of these amendments because the amended limitations can be found as original in paragraphs [0091], [0135] and [0145] of the specification.

The Claims are Novel Over the Cited References

As stated in MPEP §2131, a claim is anticipated under §102 only if each and every element as set forth in the claim, in as complete detail is found in a single prior art

reference. The independent claims include recitations for a system and method that includes steps of generating a transient meta model and reading a graphical view file into the transient meta model to correlate the names and display coordinates of each symbol of the corresponding source code file in a project.

As such, for a cited reference to be anticipatory, the reference must describe these identical elements or steps. To teach in as much detail as is claimed, the reference must disclose a software development system and method that generates a transient meta model.

The cited reference to James Martin does not disclose a software development system and method that generates a transient meta model. Instead of using the transient meta model of the present invention, James Martin discloses a software development system and method that uses a repository. Martin's repository will contain redundant information that leads to wasted processor time. See paragraph [0018] of the present application. Since Martin does not disclose the step of generating the transient meta model of the present invention, the Martin reference cannot be rightfully deemed to anticipate the claimed invention.

The Claims are Not Obvious from The Cited References

A claimed invention may be found to have been obvious "if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains." 35 U.S.C. § 103(a). Moreover, the Federal Circuit has ruled on numerous occasions that a holding of

"obviousness" requires some motivation, suggestion or teaching within the cited references that would lead one skilled in the art to modify the cited reference or references as claimed by applicant. See, for example, In re Kotzab, 217 F3d 1365, 55 USPQ2d 1313 (Fed Cir. 2000):

> "Most if not all inventions arise from a combination of old elements. See In re Rouffet, 149 F.3d 1350, 1357, 47 USPQ2d 1453, 1457 (Fed. Cir. 1998). Thus, every element of a claimed invention may often be found in the prior art. However, identification in the prior art of each individual part claimed is insufficient to defeat patentability of the whole claimed invention. Rather, to establish obviousness based on a combination of the elements disclosed in the prior art, there must be some motivation, suggestion or teaching of the desirability of making the specific combination that was made by the applicant. See In re Dance, 160 F.3d 1339, 1343, 48 USPQ2d 1635, 1637 (Fed. Cir. 1998); In re Gordon, 733 F.2d 900, 902, 221 USPQ 1125, 1127 (Fed. Cir. 1984). Even when obviousness is based on a single prior art reference, there must be a showing of a suggestion or motivation to modify the teachings of that reference. See B.F. Goodrich Co. v. Aircraft Breaking Sys. Corp., 72 F.3d 1577, 1582, 37 USPQ2d 1314, 1318 (Fed. Cir. 1996)."

The cited Martin reference, the SNAP User's Development Environment, Version 7 reference, and the Template Software, 1995 reference each describe a method for aiding software development. Applicant's claimed method generates a transient meta model that correlates names in a source code file with corresponding symbols having display coordinates. The cited references do not include these steps nor do they contemplate a system configured to implement these steps.

Moreover, there is no motivation to modify the methods of the cited references to incorporate the steps as currently claimed. The result would be contrary to the aim of the cited references, which is to implement method steps that work with prior art repository type software development tools. As such, in the absence of a motivation, suggestion and
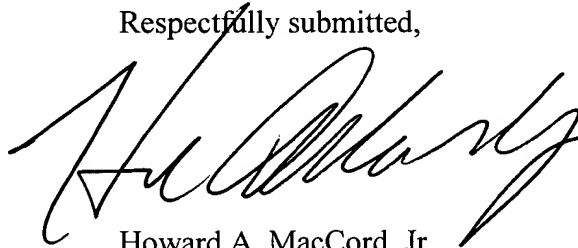
teaching, the claimed invention cannot be rightfully held to have been obvious to one skilled in the art.

The independent claims, and claims dependent thereon call for a system and method that generates a transient meta model that together with other steps such as element linking and code generation create a novel software development tool. Accordingly, it is now believed that the pending claims overcome the Examiner's rejections. Therefore, allowance of all pending claims is respectfully requested.

CONCLUSION

In view of the foregoing amendments and for the above reasons, it is believed that this application is now in condition for allowance. If unresolved issues remain, the Examiner is invited to telephone applicant's attorney at the number below.

Respectfully submitted,

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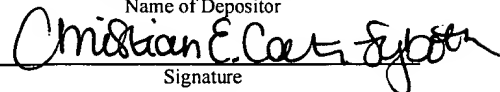P.O. Box 2974
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